

**REMARKS**

Applicant has reviewed and considered the Office Action mailed on September 21, 2004.

No claims were amended, canceled, or added. Claims 1-29 and 55-64 are pending in this application.

**Double Patenting Rejection**

Claims 1-29 and 55-64 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-23 of Arquilevich, et al. U.S. Patent No. 6,764,158.

A Terminal Disclaimer in compliance with 37 CFR 1.321(b)(iv) is enclosed herewith the overcome these rejections.

Applicant respectfully request reconsideration and allowance of claims 1-29 and 55-64.

### **CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (360) 212-8052 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

**CERTIFICATE UNDER 37 CFR §1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AMENDMENT Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 12<sup>th</sup> day of November, 2004.

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